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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,396	08/23/2001	Carl P. Gusler	AUS920010540US1	9829

7590

04/20/2005

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EXAMINER

JACOBS, LASHONDA T

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,396

Applicant(s)

GUSLER ET AL.

Examiner

LaShonda T Jacobs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gundewar et al (hereinafter, "Gundewar", 6,381,610) in view of Barnard et al (hereinafter, "Barnard", 6, 687, 677).

As per claims **1, 9 and 16**, Gundewar discloses a method, system and computer readable medium for automated project accountability comprising:

- determining at least one decision maker of a project preparation (col. 4, lines 17-23 and lines 33-35);
- determining a readiness category for the decision maker (col. 6, lines 50-67);
- determining a decision process for the readiness category and readiness category rating (col. 6, lines 50-67); and
- determining a project readiness as a function of the project assessments (col. 7, lines 46-52).

However, Gundewar does not explicitly disclose:

- providing a readiness category rating for the readiness category;

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- conducting a project assessment as a function of the decision process.

Barnard discloses a system and method for deploying a procurement and accounts payable system including:

- providing a readiness category rating for the readiness category (col. 21, lines 26-50);
- conducting a project assessment as a function of the decision process (col. 21, lines 26-50).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the Barnard teaching's of a system and method for deploying a procurement and accounts payable system that includes readiness for all aspects of the project with the teachings of Gundewar, for adapting a general procurement and accounts payable system to the requirements of each of many potential clients which can be licensed to third party providers together with a system and method for monitoring and assuring quality of services provided by service providers [see Barnard, Col. 2, lines 1-11]. Thus, Gundewar provides the motivation to combine by utilizing an automated project planning for implementing project procedures in order to meet corporate policies and industry guidelines [see Gundewar, Col. 1, lines 33-47].

As per claims 2, 10 and 17, Gundewar discloses the invention substantially as claims discussed above:

However, Gundewar does not explicitly disclose:

- assigning vote weighting to the decision maker.

Barnard discloses a system and method for deploying a procurement and accounts payable system including:

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- assigning vote weighting to the decision maker (col. 16, lines 60-67).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the Barnard teaching's of a system and method for deploying a procurement and accounts payable system that includes readiness for all aspects of the project with the teachings of Gundewar, for adapting a general procurement and accounts payable system to the requirements of each of many potential clients which can be licensed to third party providers together with a system and method for monitoring and assuring quality of services provided by service providers [see Barnard, Col. 2, lines 1-11]. Thus, Gundewar provides the motivation to combine by utilizing an automated project planning for implementing project procedures in order to meet corporate policies and industry guidelines [see Gundewar, Col. 1, lines 33-47].

As per claims **3**, **11** and **18**, Gundewar discloses:

- changing a project management application graphical interface, as a function of the project assessment (col. 8, lines 7-12).

As per claims **4**, **12** and **19**, Gundewar discloses:

- assigning a time limit in association with the project assessment and the project readiness (col. 5, lines 56-61).

As per claims **5**, **13** and **20**, Gundewar discloses:

- providing a collaborative environment for the decision maker (col. 3, lines 15-20 and col. 7, lines 58-62).

As per claim **6**, Gundewar discloses:

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- wherein the collaborative discussion mechanism is invoked for determining the readiness category, determining the decision process, conducting the project assessment, and determining the project readiness (col. 7, lines 58-62 and col. 8, lines 50-66).

As per claims 7 and 21, Gundewar discloses wherein the determination of at least one decision maker further comprises:

- providing project information from a project creator; accessing a data repository; retrieving a list from the data repository; selecting a project decision maker as a function of the project information and list; and selecting at least one contributing decision maker as a function of the project information, list, and project decision maker (col. 7, lines 44-66).

As per claims 8 and 22, Gundewar discloses:

- providing technical information from the project creator (col. 6, lines 50-64 and col. 8, lines 44-52).

However, Gundewar does not explicitly disclose:

- providing security information from the project creator.

Barnard discloses a system and method for deploying a procurement and accounts payable system including:

- providing security information from the project creator (col. 18, lines 63-67 and col. 19, lines 1-22).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the Barnard teaching's of a system and method for deploying a procurement and accounts payable system that includes readiness for all aspects of

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the project with the teachings of Gundewar, for adapting a general procurement and accounts payable system to the requirements of each of many potential clients which can be licensed to third party providers together with a system and method for monitoring and assuring quality of services provided by service providers [see Barnard, Col. 2, lines 1-11]. Thus, Gundewar provides the motivation to combine by utilizing an automated project planning for implementing project procedures in order to meet corporate policies and industry guidelines [see Gundewar, Col. 1, lines 33-47].

Response to Arguments

2. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T Jacobs whose telephone number is 703-305-7494. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

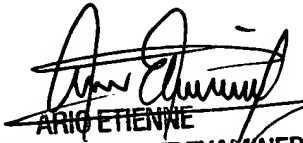
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs
Examiner
Art Unit 2157

ltj
April 5, 2005


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